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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

2/17/04  
Date

Fani Malikouzakakis  
Name: Fani Malikouzakakis

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Walter RITTENDORF et al.

Application No.: 10/644,617

Group Art Unit: Unknown

Filed: August 20, 2003

Examiner: Unknown

For: METHOD FOR THE DETERMINATION OF HDL  
CHOLESTEROL BY MEANS OF A RAPID  
DIAGNOSTIC AGENT WITH AN INTEGRATED  
FRACTIONATING STEP

LETTER RE: CONCURRENT PROCEEDINGS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

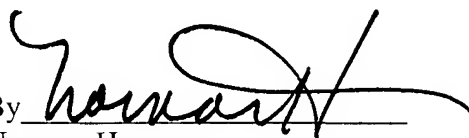
In the papers submitted with the original reissue application referenced supra, patentees filed a "Notification of Concurrent Proceedings," to apprise the PTO of pending litigation.

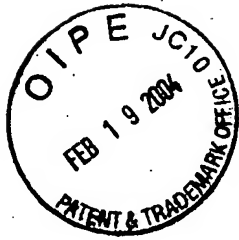
This litigation has now entered, in favor of the patentees. Transmitted are copies of papers to that end.

Dated: February 17, 2004

Respectfully submitted,

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By   
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Registration No.: 30,946  
FULBRIGHT & JAWORSKI L.L.P.  
Attorney for Applicant



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

ENTERED

DEC 29 2003

U.S. CLERK'S OFFICE  
INDIANAPOLIS, INDIANA

ROCHE DIAGNOSTICS CORPORATION  
ROCHE DIAGNOSTICS GmbH

Plaintiffs,

v.

POLYMER TECHNOLOGY SYSTEMS,  
INC.

Defendant,

Civil Action No. 1:03-CV-0848 JDT-WTL

**STIPULATED FINAL JUDGMENT**

Pursuant to voluntary agreement and consent of all Parties, the Court enters judgment in this case as follows:

Polymer Technology Systems, Inc. has infringed one or more of the claims of the patents in suit, United States Patent No. 6,171,849, 5,786,164, 6,214,570, 4,816,224, 5,366,609 by the manufacture, use, sale, and offer for sale in the United States of products that embody a claimed invention.

All damages attributable to or derived from infringement of the Patents-In-Suit have been resolved by a Settlement Agreement which the Parties executed and maintain in confidence; and

All other claims, counterclaims, defenses, and requests for relief of any kind, or by any Party pertaining to the causes of action in this case are hereby dismissed with prejudice. Each Party shall pay its own costs, expenses, and attorney fees.

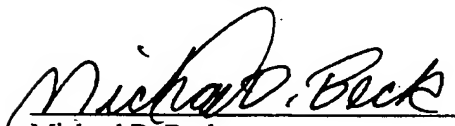
The Court retains jurisdiction to enforce the terms of the Settlement Agreement, if needed.

12/29/03  
Date

JOHN DANIEL TINDER  
United States District Court Judge

STIPULATED BY THE PARTIES:

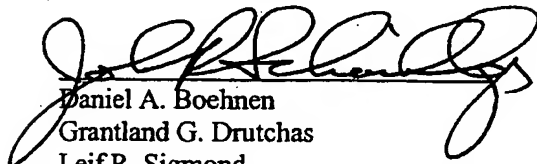
**Polymer Technology International Inc.**



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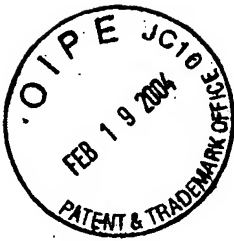
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

ROCHE DIAGNOSTICS CORPORATION  
ROCHE DIAGNOSTICS GmbH

Plaintiffs,

v.

CHOLESTECH CORPORATION,  
Defendant,

)  
)  
) Judge Larry J. McKinney

)  
) Magistrate Judge William T. Lawrence

)  
) Civil Action No. 1:03-CV-0303-LJM  
)  
)  
)  
)

**STIPULATED FINAL JUDGMENT**

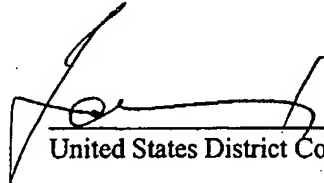
Pursuant to voluntary agreement and consent of all Parties, the Court enters judgment in this case as follows:

The Patents-In-Suit are: (i) United States Patent No. 6,171,849 ("the '849 patent"), entitled "Method for the Determination of HDL Cholesterol by Means of a Rapid Diagnostic Agent With An Integrated Fractionating Step;" (ii) United States Patent No. 5,786,164 ("the '164 patent"), entitled "Method for Separating Non-High Density Lipoproteins From Lipoprotein Containing Body Fluid Samples;" and (iii) United States Patent No. 6,214,570 ("the '570 patent"), entitled "Method for Separating Non-HDLs From HDLs and Determining HLD Cholesterol."

All damages attributable to or derived from alleged infringement of the Patents-In-Suit have been resolved by a Settlement Agreement which the Parties executed and maintain in confidence. The Court retains jurisdiction to enforce the terms of the Settlement Agreement, if needed.

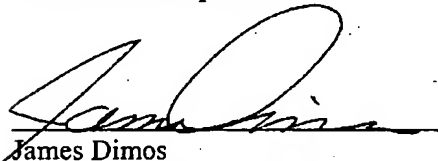
This action shall be dismissed with prejudice. Each party shall bear its own costs and fees.

12/31/03  
Date

  
United States District Court Judge

STIPULATED BY THE PARTIES:

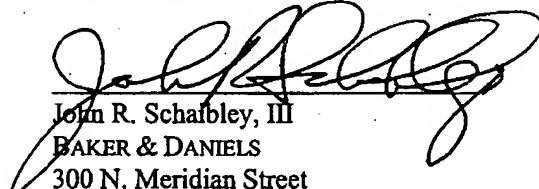
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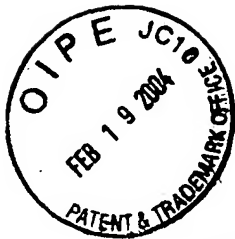
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Attorneys for Plaintiffs



**CERTIFICATE OF SERVICE**

I certify that on this 23rd day of December, 2003, the foregoing Stipulated Final Judgment was served upon defendant Polymer Technology Systems, Inc. via first class mail addressed to the following:

Michael D. Beck  
Maginot, Moore & Beck  
111 Monument Circle, Suite 3000  
Indianapolis, Indiana 46204

